

REMARKS:In the Drawings

The drawings have been objected to as not including the claimed feature that the upper layer includes both NiFe and CoFe. Figs. 4 and 5A have been amended to show that the upper layer 431/508, respectively, includes NiFe and/or CoFe. Figs. 4 and 5A are submitted herewith as a replacement sheet. Accordingly, withdrawal of the objection is respectfully requested.

Allowable Subject Matter

Applicants acknowledge and appreciate the Examiner's indication of allowable subject matter. Claims 4, 9, 15 and 16 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Allowance of claims 4, 9, 15 and 16 as amended is respectfully requested.

Claims 19 and 20 have been allowed.

Claims 9 and 16 have been rejected under 35 USC 112, second paragraph, as being indefinite because the independent claims from which they depend recite the material in the singular sense. The independent claims (1, 12) from which claims 9 and 16 depend have been amended to recite that the upper layer includes *at least one* material selected from the group consisting of NiFe and CoFe. This amendment is believed to clarify any indefiniteness. Applicants respectfully request that the Examiner withdraw the objection.

Response to Rejection of the ClaimsClaims 1, 2, 5-8, 11, 21

Claims 1, 2, 5-8, 11, and 21 have been rejected under 35 USC 102(e) as being anticipated by Mao et al. (6,490,140, hereinafter "Mao").

SJO9-2000-0121US1/HIT1P039

Claim 1 has been amended to include the limitation that the upper layer is doped for at least one of reducing an electrical conductivity of the upper layer and reducing magnetic properties of the upper layer. This feature is similar to that found in allowed claims 4, 15 and 19. Accordingly, claim 1 is believed to also be allowable.

Because of their dependence upon claim 1, claims 2, 5-8, and 11 incorporate the limitations of claim 1, and are therefore also believed to be allowable.

Claim 21 has been amended to recite the limitation that the upper layer is doped for at least one of reducing an electrical conductivity of the upper layer and reducing magnetic properties of the upper layer. This feature is similar to that found in allowed claims 4, 15 and 19. Accordingly, claim 21 is believed to also be allowable.

#### Claims 3, 17, 18

Claims 3, 17, 18 have been rejected under 35 USC 103(a) over Mao.

Because of its dependence upon claim 1, claim 3 incorporates the limitations of claim 1, and is therefore also believed to be allowable.

Claim 17 has been amended to recite the limitation that the upper layer include both CoFe and NiFe. This feature is similar to that found in allowed claims 9 and 16. Accordingly, claim 17 is believed to also be allowable.

Claim 18 has been amended to recite the limitation that the upper layer is doped for at least one of reducing an electrical conductivity of the upper layer and reducing magnetic properties of the upper layer. This feature is similar to that found in allowed claims 4, 15 and 19. Accordingly, claim 18 is believed to also be allowable.

#### Claims 10, 12-14

Claims 10, 12-14 have been rejected under 35 USC 103(a) over Mao in view of Huai et al. (US 6,222,707).

Because of its dependence upon claim 1, claim 10 incorporates the limitations of claim 1, and is therefore also believed to be allowable.

SJO9-2000-0121US1/HIT1P039

Claim 12 has been amended to recite the limitation that the upper layer include both CoFe and NiFe and that the upper layer is doped for at least one of reducing an electrical conductivity of the upper layer and reducing magnetic properties of the upper layer. These features are similar to that found in allowed claims 4, 9 15, 16 and 19. Accordingly, claim 12 is believed to also be allowable.

Because of their dependence upon claim 12, claims 13-14 incorporate the limitations of claim 12, and are therefore also believed to be allowable.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 971-2573. For payment of any additional fees due in connection with the filing of this paper, the Commissioner is authorized to charge such fees to Deposit Account No. 50-2587 (Order No. SJO920000121US1).

Respectfully submitted,

By:   
Dominic M. Kotab  
Reg. No. 42,762

Date: 11/4/04

Zilka-Kotab, PC  
P.O. Box 721120  
San Jose, California 95172-1120  
Telephone: (408) 971-2573  
Facsimile: (408) 971-4660

**SJO9-2000-0121US1/HIT1P039**

- 14 -